

HOUSE No. 1676

By Mr. Kujawski of Webster, petition of Paul Kujawski for legislation to prevent fraud in beverage container redemption by regulating machines used in processing said containers. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT TO PREVENT FRAUDULENT REDEMPTION OF EMPTY BEVERAGE CONTAINERS SUBJECT TO THE BOTTLE LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 323 of Chapter 94 of the Massachusetts General Laws
2 is hereby amended by adding the following at the end thereof:
3 J. All vending machines in the Commonwealth which accept
4 and redeem empty beverage containers subject to this Section
5 from consumers, shall be designed to identify and redeem only
6 beverage containers upon which a refund value is imposed and
7 collected, and to reject beverage containers which are not subject
8 to a refund value. No such vending machine may be sold or leased
9 to, or otherwise placed in operation, at a dealer or redemption
10 center location after May 1, 2001, which is not in compliance with
11 this section. Any such vending machines operating at dealer or
12 redemption center locations in the Commonwealth prior to May 1,
13 2001 may continue in operation, but must be re-designed by the
14 machine manufacturer to comply with this section. The Secretary
15 of Environmental Affairs shall determine the schedule for imple-
16 menting compliance by existing machines based upon a finding by
17 the Secretary that the technology is available for the machines to
18 properly identify and redeem only beverage containers with a
19 refund value and reject all other beverage containers. In no event
20 shall this subsection be interpreted to authorize the Secretary to
21 mandate any additional labeling so that vending machines can
22 better identify Massachusetts containers.

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